

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN

In re: )  
MOJEED A SALAKO and ) Case No. 12-20272-jes  
TITIOLA O. SALAKO, ) Chapter 13  
Debtors. )

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**NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN**

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Mojeed A. Salako AND Titilola O. Salako have filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court  
517 E. Wisconsin Avenue, Room 126  
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Nathan E. DeLadurantey  
DeLadurantey Law Office, LLC  
735 W. Wisconsin Avenue, Suite 720  
Milwaukee, WI 53233

If you or your attorney does not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

## REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:
  - A. X the Debtor;
  - B. \_\_\_\_\_ the Chapter 13 Trustee (post-confirmation modifications only);
  - C. \_\_\_\_\_ the holder of an unsecured claim (post-confirmation only).
2. This is a request to modify a Chapter 13 Plan (Select A. or B.):
  - A. \_\_\_\_\_ post-confirmation;
  - B. X pre-confirmation (Select i. or ii.):
    - i. X Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (LBR 3015(b)); or
    - ii. X Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are:
3. The Proponent wishes to modify the Chapter 13 Plan to do the following: (1) Pay several claims that were not included in the original plan, namely, claims 10, 11, and 15 (2) Adjust payment to the IRS to match claim #4a. (3) Adjust payment to U.S. Bank, N.A. to match claim #12.
4. The reason(s) for the modification is/are: Original plan did not accurately reflect the above-mentioned claims.
5. Select A. or B.
  - A. \_\_\_\_\_ The Chapter 13 Plan confirmed or last modified on \_\_\_\_\_ is modified as follows:
  - B. X The unconfirmed Chapter 13 Plan dated February 13, 2012 is modified as follows:

**2. Plan Payments and Length of Plan.** Debtor shall pay the total amount of \$265,000 by paying \$4,415 per (check one)  month  week  every two weeks  semi-monthly to Trustee by  Periodic Payroll Deduction(s) from (check one)  Debtor  Joint Debtor or by  Direct Payment(s) for the period of 60 months. The duration of the plan may be less if all allowed claims in every class, other than long-term claims, are paid in full.

**5(B). Other Priority Claims (e.g., tax claims).** These priority claims will be paid in full through the plan.

(a) Creditor	(b) Estimated claim
<b>IRS - Centralized Insolvency Operation</b>	<b>\$546.09</b>
<b>Wisconsin Department of Revenue</b>	<b>\$2,480.56</b>
<b>Totals:</b>	<b>\$3,026.65</b>

**Total Priority Claims to be paid through plan: \$3,026.65**

**6(A)(ii)(a). Secured Claims - Full Payment of Debt Required.**

(a) Creditor	(b) Collateral	(c) Purchase Date	(d) Claim Amount	(e) Interest Rate	(f) Estimated Monthly Payment	(g) Estimated Total Paid Through Plan
<b>City of Milwaukee – City Treasurer</b>	<b>Tax Lien</b>		<b>\$16,488.58</b>	<b>12%</b>	<b>Pro rata</b>	<b>\$18,467.21</b>
<b>Wisconsin Department of Revenue</b>	<b>Tax lien</b>	<b>Filed 8-19-2010</b>	<b>\$2,012.42</b>	<b>12%</b>	<b>Pro rata</b>	<b>\$2,253.91</b>
<b>TOTALS</b>			<b>\$18,501</b>		<b>Pro Rata</b>	<b>\$20,721.12</b>

**6(B)(ii).**

If checked, the Debtor has an arrearage claim secured by Real Property that the Debtor will cure through the Plan. Trustee may pay each allowed arrearage claim the estimated monthly payment indicated in column (d) until paid in full.

(a) Creditor	(b) Property	(c) Estimated Arrearage Claim	(d) Estimated Monthly Payment	(e) Estimated Total Paid Through Plan
US Bank, National Association	Homestead real property located at 6910 N. 80th Street, Milwaukee, Wisconsin, 53223	\$4,548.29 @ 5% interest	Pro Rata	<b>\$4,775.70</b>
<b>US Bank, National Association</b>	<b>Real property located at 7108-7120 W. Fond Du Lac Avenue, Milwaukee, Wisconsin, 53218-3847</b>	<b>\$160,381.16 @ 5% interest</b>	<b>Pro Rata</b>	<b>\$168,400.21</b>
<b>TOTALS</b>		<b>\$164,929.45</b>		<b>\$173,175.91</b>

**Total Secured Claims to Be Paid Through the Plan: \$200,123.23**

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

**6. BY SIGNING BELOW THE PROPOSER OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND**

**PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.**

**CERTIFICATION**

I, Nathan E. DeLadurantey, attorney for debtors, Mojeed Salako and Mojeed Salako, certify that I have reviewed the modification proposed above with the debtors, and that the debtors have authorized me to file it with the court.

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/s/ Nathan E. DeLadurantey

August 9, 2012

Counsel for the debtors

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Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated: August 9, 2012.

DeLadurantey Law Office, LLC  
Attorneys for Debtor

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/s/

By: Nathan E. DeLadurantey  
State Bar No. 1063937

Drafted by:

Nathan E. DeLadurantey  
SBN 1063937  
735 W Wisconsin Ave., Suite 720  
Milwaukee, WI 53233  
(414) 377-0515; Fax (414) 755-0860  
nathan@dela-law.com

A copy of the foregoing filed electronically on August 07, 2012 with:

Clerk, U.S. Bankruptcy Court  
517 East Wisconsin Avenue  
Milwaukee, WI 53202

Copies of the foregoing, mailed or sent electronically  
if the party named accepts electronic service on August 07, 2012:

Office of the U.S. Trustee  
517 East Wisconsin Avenue, #430  
Milwaukee, WI 53202

Mary B. Grossman  
PO Box 510920  
Milwaukee, WI 53203

Wisconsin Department of Revenue  
Special Procedures Unit  
PO Box 8901  
Madison, WI 53707-8901

IRS - Centralized Insolvency Operation  
PO Box 7346  
Philadelphia, PA 19101-7346

City of Milwaukee  
200 E. Wells Street Rm 103  
Milwaukee, WI 53202

US Bank, National Association  
205 W 4<sup>th</sup> Street  
Suite 500 CN-OH-X5F1  
Cincinnati, OH 45202

/s/Caitlin York, Paralegal  
(Electronically filed by or mailed by)